FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION ONE

New York Office
201 Varick Street, Suite 1151
New York, New York 10014

August 26, 2016

141 Coit Street LLC
Irvington, New Jersey

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-16-00022459
Document Number: W201632380065

The New York Office received information that an unlicensed broadcast radio station on 87.9 MHz was allegedly operating in Irvington, New Jersey. On August 17, 2016, agents from this office confirmed by direction finding techniques that radio signals on frequency 87.9 MHz were emanating from your building located at 141 Coit Street, Irvington, New Jersey. The Commission's records show that no license was issued for operation of a broadcast station on 87.9 MHz at this location in Irvington, New Jersey.

Radio stations operating on many frequencies, including 87.9 MHz, must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 et seq. The field strength of the signal on frequency 87.9 MHz exceeded the maximum permitted level of 100 µV/m at 3 meters for non-licensed devices. Furthermore, intentional radiators operating on 87.9 MHz are restricted to the transmission of a control signal such as those used with alarm systems, door openers, remote switches, etc. Continuous transmissions are not permitted. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 501, 503 and 510.)

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

David C. Dombrowski
Regional Director
Region One
Enforcement Bureau
Federal Communications Commission

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", March 2005